

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:16-CR-117-FL-1

UNITED STATES OF AMERICA,

v.

SHAKINA JANA OATES,

Defendant.

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ORDER


This matter is before the court on defendant's motions for reduction of sentence pursuant to the First Step Act of 2018 (DE 75, 77). The government did not respond to the motions and in this posture the issues raised are ripe for ruling.

On August 24, 2017, the court sentenced defendant to 36 months' imprisonment and three years' supervised release following her conviction for mail fraud, in violation of 18 U.S.C. § 1341. Defendant appealed, and the United States Court of Appeals for the Fourth Circuit affirmed in part and dismissed in part.

Defendant filed the instant First Step Act motions on July 3 and July 15, 2019, respectively, requesting that the court amend her criminal judgment to permit service of her sentence on home confinement. The Federal Bureau of Prisons has exclusive authority to place defendant on home confinement, and thus the court is without jurisdiction to grant the relief requested in the instant motions. See 18 U.S.C. § 3621(b). Furthermore, defendant's requests for home confinement are moot based on her recent release from custody. (See Petition & Order (DE 81)).

Based on the foregoing, defendant's motions for reduction of sentence (DE 75, 77) are DISMISSED WITHOUT PREJUDICE for lack of jurisdiction.

SO ORDERED, this the 15th day of December, 2020.


LOUISE W. FLANAGAN
United States District Judge